

IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA

RONNIE LAMAR COULTER, )  
                            )  
Petitioner             )  
                          )  
vs.                     )                  No. CIV-05-610-C  
                          )  
MIKE MULLINS, et al., )  
                          )  
Respondents           )

ORDER ADOPTING REPORT AND RECOMMENDATION

This matter is before the Court on the Report and Recommendation entered by the United States Magistrate Judge on August 26, 2005. The court file reflects that no party has objected to the Report and Recommendation within the time limits prescribed. Therefore, the Court adopts the Report and Recommendation in its entirety.

Accordingly, the Report and Recommendation of the Magistrate Judge is adopted and the Court orders as follows: (1) the Respondents' Motion to Dismiss is denied on the grounds of nonexhaustion; (2) this action is stayed pending the exhaustion of ground three and five of the six theories in ground four, and (3) the Oklahoma Attorney General is dismissed as a Respondent. Further, the Petitioner shall file a status report within thirty days showing state court proceedings have been initiated on the unexhausted claims and must request the reopening of this case within thirty days of the conclusion of the state court proceedings.

The Clerk shall administratively terminate this action in his records without prejudice to the rights of the Petitioner to reopen the proceeding any time within thirty days of the conclusion of state court proceedings.

IT IS SO ORDERED this 7th day of October, 2005.



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ROBIN J. CAUTHRON  
United States District Judge